

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

	X
MEMBERS 1ST FEDERAL CREDIT UNION,	:
	:
Plaintiff,	:
	:
-against-	:
	:
METRO BANK AND	:
METRO BANCORP, INC.	:
	:
Defendants.	:
	X

This matter is before the Court on the joint application of plaintiff Members 1st Federal Credit Union and defendants Metro Bank and Metro Bancorp, Inc. (collectively, "Defendants").

WHEREAS, Plaintiff commenced the above-captioned civil action on or about June 19, 2009; and

WHEREAS, Defendants filed an answer on or about August 4, 2009; and

WHEREAS, on or about January 18, 2011, both parties filed Amended Pretrial Memorandums defining the issues left to be tried in this action (the "Remaining Issues");

WHEREAS, without admitting any factual or legal allegation, claim alleged, or defense asserted, Plaintiff and Defendants have consented to the entry of this Dismissal Order pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Therefore, it is hereby ORDERED that:

- (a) All claims asserted by Plaintiff against Defendants are dismissed without prejudice;
- (b) Each of the parties shall bear its own costs, expenses and attorneys fees associated with the prosecution and defense of this action;

(c) All unresolved pending motions in this action between the parties shall be denied as moot;

(d) This Court shall retain jurisdiction for the purposes of assisting the Parties with mediating and deciding any disputes that may arise under the Parties' private settlement agreement and, in the event that such disputes may not be resolved amicably under the terms of such settlement agreement, shall retain jurisdiction to decide any such disputes.

DATED: February 25, 2011

FLASTER/GREENBERG P.C.

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Attorneys for Plaintiff

IT IS SO ORDERED.

Dated: _____, 2011

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Attorneys for Defendants

The Honorable Yvette Kane
Chief Judge
United States District
Middle District of Pennsylvania